

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:10CR181
	)	
v.	)	
	)	
FRANCISCO GARCIA-AGUILAR,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the Court on the report and recommendation (Filing No. [30](#)) of the magistrate judge, recommending that defendant's motion to suppress (Filing No. [18](#)) be denied.

Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the matter *de novo*, including the briefs in support of and in opposition to the motions, as well as the transcript of the hearing (Filing No. [26](#)). No objections have been filed, and the findings and recommendation of the magistrate judge will be approved and adopted and defendant's motion to suppress will be denied. Accordingly,

IT IS ORDERED:

- 1) The report and recommendation of the magistrate judge is approved and adopted.
- 2) Defendant's motion to suppress is denied.

3) Trial of this matter is scheduled for:

**Monday, October 25, 2010, at 9 a.m.**

Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. This will give the parties time to prepare for trial or pursue plea negotiations, and will accommodate the schedule of the Court. The ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between September 9, 2010, and October 25, 2010, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 9th day of September, 2010.

BY THE COURT:

/s/ Lyle E. Strom

---

LYLE E. STROM, Senior Judge  
United States District Court